

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN)
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This document relates to:

All Actions

DECLARATION OF JAMES KREINDLER

I, James P. "Jim" Kreindler, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury

the following:

1. I am an attorney duly admitted to practice before this Court, a partner at Kreindler & Kreindler LLP ("Kreindler") and co-chair of the Plaintiffs' Executive Committee for Personal Injury and Wrongful Death Claims.
2. I am fully familiar with the history of this lawsuit and this Court's inquiry into the Yahoo! News article published by Michael Isikoff on July 15, 2021.
3. On June 17, 2021 and June 18, 2021 I attended on Zoom the deposition of Kingdom of Saudi Arabia official Musaed al-Jarrah conducted by Kreindler partner Megan Bennett.
4. I learned on July 15, 2021 that Yahoo! News investigative reporter Michael Isikoff had published an article in which he stated that he had obtained a copy of the transcript of the deposition of Jarrah. That day, I discussed the Isikoff article with others at Kreindler working on the 9/11 litigation and, subsequently, in a conference call with other members of the Plaintiffs' Executive Committees in this lawsuit.

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5. After that call, I asked my Kreindler partner Andrew J. Maloney, Esq., who is co-liaison counsel to the Plaintiffs' Executive Committee for Personal Injury and Wrongful Death Claims in this case, to conduct an internal investigation to determine whether anyone at Kreindler was responsible for providing the information to Isikoff.

6. My specific answers to the inquiry of this Court's Order, ECF No. 7082 at 1, (set forth in italics) are underscored below:

- *identify all communications with Michael Isikoff or anyone acting on his behalf, whether oral or written, from June 1, 2021, to August 1, 2021. Any written communication must be provided to the Court;*
 - I communicated with Michael Isikoff and his producer several times between June 1, 2021 and August 1, 2021. Those communications concerned my appearance along with former FBI Special Agent Ali Soufan on Isikoff's Conspiracyland podcast on July 1, 2021 and preparations in advance of the podcast (including forwarding a letter from Senators Blumenthal, Gillibrand and Menendez to the Department of Justice expressing their concern about the invocation of the "state secrets privilege" in the lawsuit brought by the 9/11 Families); Kreindler's efforts to convince the Department of Justice to reverse its position regarding the state secrets privilege and its protective order that prevented the 9/11 Families and the public from accessing information developed during discovery; and my response to an article Isikoff published on July 10, 2021 concerning the death of Jamal Khashoggi and an interview Khashoggi gave to an investigator

working with the 9/11 Families. I recall having two phone calls with Isikoff. He called to ask me for a status report on the case including how the depositions were going. I told him that the depositions were going great but that I could not tell him about what came out during the depositions because of the “gag orders” in this case. The first call was on a Monday and I asked him to give me a couple of days to see if there was anything I could talk about. He called back on a Wednesday and I told him that there was nothing I could discuss about what developed during the depositions, but that Kreindler was planning to file a motion to revisit the state secrets assertion and the application of the protective orders in this case. I exchanged several e-mails with Isikoff, all of which are attached to the accompanying declaration of John Hartney.

- *declare whether they have ever discussed the contents of the Musaed Al Jarrah deposition with Michael Isikoff or anyone acting on his behalf. Any communication must be described in detail, including whether portions of the transcript were read or testimony was described;*
 - I never discussed the content of the Jarrah deposition with Isikoff or anyone acting on his behalf..
- *state every person with whom they shared the Al Jarrah deposition transcript who has not already supplied the Court with a declaration in this investigation; and*
 - None.

- *state every person that they know had access to the deposition transcripts who has not already supplied a declaration in this investigation.*

○ None.

7. For the first time today I learned the information set forth in the declaration of John Fawcett.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: New York, New York
September 27, 2021

KREINDLER & KREINDLER LLP

By: /s/ James P. Kreindler
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